

PS 8
(3/15)

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for

Jan 03, 2022

Eastern District of Washington

SEAN F. MCAVOY, CLERK

U.S.A. vs.

Yahtin, Lavander

Docket No.

0980 1:21CR02003-SMJ-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Lavander Yahtin, who was placed under pretrial release supervision by the Honorable U.S. District Judge Mary K. Dimke sitting in the Court at Yakima, Washington, on the 4th day of February 2021, under the following conditions:

Special Condition #8: Defendant shall submit to random urinalysis and Breathalyzer testing as directed by the United States Probation/Pretrial Services Office to include carrying a device through Smart Start agency that will alert the defendant when he must give a Breathalyzer test. Testing is limited to six times per day and is to be set up and paid for by Defendant.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #5: Mr. Yahtin is considered in violation of his pretrial release conditions by failing to submit to his required Breathalyzer testing on December 30, 2021, between the 6 a.m. and 7 a.m. time frame.

Violation #6: Mr. Yahtin is considered to be in violation of his pretrial release conditions by failing to submit to his required Breathalyzer testing on January 1, 2022, between the 6 a.m. and 7 a.m. time frame.

Conditions of release were reviewed and signed by Mr. Yahtin on February 4, 2021, acknowledging an understanding of his pretrial release conditions, including special condition number 8.

Per Mr. Yahtin's release condition, he is to be testing up to six times per day via the Smart Start program. On December 30, 2021, Mr. Yahtin failed to submit his 6 a.m. to 7 a.m. test. He also failed to submit a test during this same time frame on January 1, 2022. There was a 3-hour gap between both above-noted tests. Mr. Yatin submitted a test on December 30, 2021, at 10:54 a.m. and on January 1, 2022, at 10:01 a.m. According to Mr. Yahtin, he was "sleeping" during the 6 a.m. to 7 a.m. time.

To be noted, when Mr. Yahtin misses his 6 a.m. to 7 a.m. testing time frame, he has a gap of approximately 11 hours as his test prior to the 6 a.m. to 7 a.m. is 10 p.m. to 11 p.m. the previous night.

PRAYING THE COURT WILL INCORPORATE THE ABOVE VIOLATIONS WITH THE CURRENT PETITION
PENDING BEFORE THE COURT

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: 01/03/2022

by s/Linda J. Leavitt

Linda J. Leavitt
U.S. Pretrial Services Officer

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Re: Yahtin, Lavander

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

1/3/22

Date